

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 12, 2020**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jordan L. Yates

Case Number: 0980 2:19CR00215-TOR-9

Address of Offender: 808 E. Heroy, Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 26, 2020

Original Offense: Conspiracy to Commit Bank Fraud, 18 U.S.C. § 1349

Original Sentence: Prison - 99 days
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Ann Wick

Date Supervision Commenced: March 26, 2020

Defense Attorney: Federal Defender's Office

Date Supervision Expires: March 25, 2025

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition #9:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Yates was in direct violation of special condition number 9 by failing to report for urinalysis testing on July 27, 2020.

On April 8, 2020, Mr. Yates was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Yates signed the judgment and indicated he understood all of his conditions.

Due to Mr. Yates' illegal drug use, he was directed to supply random urine samples. He was directed to call the testing hotline at Pioneer Human Services (PHS) each day and to listen for the color GOLD 3. When GOLD 3 was called, he was directed to report to PHS and supply a urine sample before 5 p.m.

On July 27, 2020, the color GOLD 3 was called and Mr. Yates failed to report for his urinalysis test.

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- 2 **Special Condition #9:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Yates was in direct violation of special condition number 9 by testing positive for morphine and cocaine on July 31, 2020.

On April 8, 2020, Mr. Yates was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Yates signed the judgment and indicated he understood all of his conditions.

Mr. Yates was directed to report to PHS and supply a urine sample on July 31, 2020, due to missing his urinalysis test on July 27, 2020. Mr. Yates supplied a urine sample that tested presumptive positive for both morphine and cocaine. He reported he had relapsed on heroin and there must have been some cocaine in the heroin he had used.

On August 7, 2020, Alere Toxicology laboratories confirmed that Mr. Yates' July 31, 2020, urine sample was positive for morphine (heroin). On August 10, 2020, Alere Toxicology laboratories confirmed Mr. Yates' July 31, 2020, urine sample also tested positive for cocaine.

- 3 **Special Condition #9:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Yates was in direct violation of special condition number 9 by failing to report for urinalysis testing on August 7, 2020.

On April 8, 2020, Mr. Yates was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Yates signed the judgment and indicated he understood all of his conditions.

Due to Mr. Yates' illegal drug use, he was directed to supply random urine samples. He was directed to call the testing hotline at PHS each day and to listen for the color GOLD 3. When GOLD 3 was called, he was directed to report to PHS and supply a urine sample before 5 p.m.

On August 7, 2020, the color GOLD 3 was called and Mr. Yates failed to report for his urinalysis test.

- 4 **Special Condition #9:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: It is alleged that Mr. Yates was in direct violation of special condition number 9 by testing positive for morphine August 10, 2020.

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On April 8, 2020, Mr. Yates was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Yates signed the judgment and indicated he understood all of his conditions.

Mr. Yates was directed to report to PHS and supply a urine sample on August 10, 2020, due to missing his urinalysis on August 7, 2020. Mr. Yates supplied a urine sample that tested presumptive positive for morphine. On August 10, 2020, he signed a drug use admission form disclosing he used morphine on August 9, 2020.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/12/2020

s/Joshua D. Schull

Joshua D. Schull
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

August 12, 2020

Date